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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/785,095	02/25/2004	Hiroshi Iida	118829	8527		
25944	7590	01/22/2009	EXAMINER			
OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				DICKER, DENNIS T		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/785,095	IIDA ET AL.	
	Examiner	Art Unit	
	DENNIS DICKER	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 November 2008.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 and 16-19 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-7 and 16-19 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 25 February 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-7 and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (hereinafter "Kim '243" US 6,101,243) and further in view of Nakatani et al. (hereinafter "Nakatani '079" US 5,253,079).

With respect to **Claim 1**, Kim '243 teaches a service processing system providing a service of performing a predetermined series of processes on document data through cooperation among the processes over a network (**i.e., Col. 1 lines 19-22, facsimile system**) comprising: a control device (**i.e., Fig. 1**); a storage device (**i.e., 20 of Fig. 1, Memory**), provided in a control device, that stores a work flow of the predetermined series of processes (**i.e., Col. 3 lines 47-49, memory stores program data of system [workflow Table 1]**); an acquisition device (**i.e., 50 of Fig. 1, Modem**) that acquires document data on a page basis (**i.e., Col. 3 lines 56-60**); and a controller (**i.e., 10 of Fig. 1, CPU**) provided in the control device that determines (**i.e., Col. 3 lines 44-47**,

CPU determines which phase the error occurs) whether an acquisition error indicating failure in acquiring the document data occurs (i.e., Col. 5 lines 35-40) and whether a decode error indicating failure in decoding the acquired document data occurs (i.e., Col. 5 lines 40-46), and executes a recovery process (i.e., Fig. 2, **recovery process**) to eliminate the acquisition error when the acquisition error occurs (i.e., Col. 4 lines 39-61, **method of eliminating acquisition error**) and the decode error when the decode error occurs wherein, in the recovery process (i.e., Col. 4 lines 62-Col. 5 line 5, **recovery process for error after transmission**), the controller requests to resend a page of the document data in which the acquisition error occurs (i.e., Fig. 2) .

Kim '243 does not explicitly teach a decoding device that decodes the acquired document data on a page basis and controls reexecution of a decoding process of a page of the document data in which the decode error occurs.

However, the mentioned claimed limitations are well known in the art as evidenced by Nakatani '079, In particular, Nakatani '079 teaches the use of a decoding device (i.e., **36 of Fig. 1, Expansion device**) that decodes the acquired document data on a page basis (i.e., **Col. 10 lines 16-18 and Col. 7 lines 42-45**) and controls reexecution of a decoding process (i.e., **Col. 10 lines 25-28, re-decoding process when an error occurs**[**Col. 10 lines 19-21**]) of a page of the document data in which the decode error occurs (i.e., **Col. 4 lines 31-43**).

In view of this, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify the service processing system of Kim '243

as taught by Nakatani '079 since Nakatani '079 suggested in Col. 1 lines 1-20-68 that such a modification would provide improved reliability in a facsimile system when receiving a fax wherein the facsimile device in Kim'243 acquires a page and processes a page while determining an error and using a recovery process to clear the error and Nakatani '079 shows an improvement to the recovery process by re-decoding a page when an error is found rather than re-dialing a number which will save time and money.

With respect to **Claim 2**, Kim '243 teaches a service processing system wherein the controller temporarily halts the predetermined processes when the acquisition error or the decode error occurs (**i.e., Col.4 lines 3-8, if there is an error the controller automatically halts the process**), requests executes the recovery process, and clears the halt after the execution of the recovery process (**Col.4 lines 3-8 and Fig. 2, request to redial the number to clear the halt**).

With respect to **Claim 3**, Kim '243 teaches a service processing system wherein the controller continues execution of the performing of the predetermined processes on document data except for the process of the page of the document data in which the acquisition error or the decode error occurs (**i.e., ,113 of fig. 2 and Col. 4 lines 62-Col. 5 line 20, ability to continue execution of a predetermined process except for error page**), and performs the execution of the recovery process separately from the continued processes of the predetermined processes (**i.e.,113 of Fig. 2 , recovery process separately from error page**).

With regards to the image processing device of **Claim 4**, the limitations of the claim 4 are corrected by limitations of claim 1 above. The steps of claim 4 read into the function step of claim 1.

With regards to the image processing device of **Claim 5**, the limitations of the claim 5 are corrected by limitations of claim 2 above. The steps of claim 5 read into the function step of claim 2.

With regards to the image processing device of **Claim 6**, the limitations of the claim 6 are corrected by limitations of claim 3 above. The steps of claim 6 read into the function step of claim 3.

With regards to the image processing device of **Claim 7**, the limitations of the claim 7 are corrected by limitations of claim 1 above. The steps of claim 7 read into the function step of claim 1.

With regards to the image processing method of **Claim 16**, the limitations of the claim 16 are corrected by limitations of claim 1 above. The steps of claim 16 read into the function step of claim 1.

With regards to the image processing method of **Claim 17**, the limitations of the claim 17 are corrected by limitations of claim 2 above. The steps of claim 17 read into the function step of claim 2.

With regards to the image processing method of **Claim 18**, the limitations of the claim 18 are corrected by limitations of claim 3 above. The steps of claim 18 read into the function step of claim 3.

With regards to the image processing method of **Claim 19**, the limitations of the claim 19 are corrected by limitations of claim 1 above. The steps of claim 19 read into the function step of claim 1.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yoshida (US 5,172,246 Image communication method), Takezawa (US 5,146,598 Communication terminal apparatus having an interrupt/restart function), Hwang (US 5,822,084 Technique for displaying a transmission error), Tanimoto (US 7,027,176 Detection of decoding error and retransmission).

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DENNIS DICKER whose telephone number is (571)270-3140. The examiner can normally be reached on Monday -Thursday 7:30 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Haskins can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. D./
Examiner, Art Unit 2625
1/22/2009

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625